

08/11/97

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FWC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: Cox et al.

Examiner in immediately preceding  
parent case: Blyveis, D.

Serial No.: unknown

Anticipated Group Art Unit: 3306

Filed: August 11, 1997

For: PERFUSION BALLOON ANGIOPLASTY CATHETER

Docket No.: 33019/138/103

**TRANSMITTAL SHEET**

The Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of EM020714641US, in an envelope address to: Assistant Commissioner for Patents, Washington, D.C., 20231 on this 11th day of August, 19 97.

By Lisa A. Dahline  
Lisa A. Dahline

We are transmitting herewith the attached Patent Application including the following:

- [ ] \_\_\_\_\_ sheet(s) of specification.
- [ ] \_\_\_\_\_ claim(s).
- [ ] \_\_\_\_\_ sheet(s) of Abstract.
- [ ] \_\_\_\_\_ sheet(s) of formal/informal drawings.
- [ ] Executed/unexecuted Declaration and Power of Attorney.
- [ ] A verified statement(s) to establish small entity status under 37 C.F.R. 1.9 and/or 1.27 is enclosed.
- [ ] An Assignment of the invention to \_\_\_\_\_ is being filed contemporaneous with this patent application.
- [ ] A certified copy of a \_\_\_\_\_ application, serial no. \_\_\_\_\_, filed \_\_\_\_\_, 19\_\_\_\_, the right of priority of which is claimed under 35 U.S.C. 119.

CLAIMS AS FILED						
	(1)	(2)	SMALL ENTITY		OTHER	
FOR:	# FILED	# EXTRA	Rate	Fee	Rate	Fee
BASIC FEE				\$385		\$770
TOTAL CLAIMS	12-20 =		x11=	\$	x22=	\$
INDEPENDENT CLAIMS	4 -3 =	1	x40=	\$	x80=	\$80
( ) MULTIPLE DEPENDENT CLAIM PRESENTED			+130=	\$	+260=	\$
TOTAL			\$		\$850.00	

\*If the difference in Column (1) is less than zero, enter "0" in Column 2.

[XXXX] Other File Wrapper Continuing Application (FWC) under 37 CFR §1.62

[XXXX] A check in the amount of \$ 850.00 is enclosed.

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 14-0620.

By:

Glenn M. Seager

Reg. No. 36,926

Glenn M. Seager  
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FILE WRAPPER CONTINUING APPLICATION (FWC) 37 CFR 1.62)

Box FWC  
Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

I. This is a request for a filing under the file wrapper continuing application procedure, 37 CFR 1.62, for a continuation of prior complete application Serial No. 08/612,061, filed on March 7, 1996.

1. Title, as originally filed, PERFUSION BALLOON ANGIOPLASTY CATHETER, and as last amended, \_\_\_\_\_

CERTIFICATE OF MAILING (37 CFR 1.10)

I hereby certify that this FWC transmittal and the documents referred to as being attached therein are being deposited with the United States Postal Service on this date August 11, 1997 in an envelope as "Express Mail Post Office to Addressee" mailing Label Number EM020714641US addressed to the: Commissioner of Patents and Trademarks, Box FWC, Washington, D.C. 20231.

Date:

August 11, 1997

Lisa A. Dahling

(Type or print name of person mailing paper)

(Signature of person mailing paper)



Full name of fifth or joint inventor Brooke Q. Ren

Residence Champlin, Minnesota

Citizenship China

Post Office Address 13281 Yorktown Lane

Champlin, Minnesota 55316

The above application is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that, if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

## II. Inventorship Statement

This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above, and the inventors in this application are the same.

## III. Declaration or Oath

Continuation - none required, as such was filed in the parent case identified above.

**IV. Identification of Claims for Further Prosecution**

The fees to be charged are to be based on the number of claims remaining as a result of the:

the unentered amendment filed under 37 CFR §1.116 in the prior application, which is now repeated.

**V. Fee Calculation**

CLAIMS FOR FEE CALCULATION			
Number Filed	Number Extra	Rate	Basic Fee \$770.00
Total Claims     12-20=	0            X	\$ 22.00	0
Independent Claims     4-3=	1            X	\$ 80.00	\$80.00
Multiple dependent claims, if any		\$260.00	0
_____ The fee for extra claims is not being paid at this time.			\$850.00
Filing fee calculation			

**VI. Method of Payment of Fees**

Attached is a check in the amount of \$ 850.00 .

**VII. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the pendency of this application to Account No. 14-0620.

**VIII. Relate Back - 35 U.S.C. 120**

Amend the specification at page 1, line 2, by inserting the following:

--This application is a continuation of application Serial No. 08/612,061, filed March 7, 1996, which is a continuation-in-part of application Serial No. 08/441,618, filed May 15, 1995, which in turn is a continuation-in-part of application Serial No. 08/204,733, filed March 2, 1994, now abandoned.--

**IX. Power of Attorney**

The power of attorney in the prior application is to:

Wayne A. Sivertson, Reg. No. 25,645  
Lawrence M. Nawrocki, Reg. No. 29,333  
John L. Rooney, Reg. No. 28,898  
Donald A. Jacobson, Reg. No. 22,308  
David M. Crompton, Reg. No. 36,772  
Glenn M. Seager, Reg. No. 36,926  
Steven E. Dicke, Reg. No. 38,431  
Brian N. Tufte, Reg. No. 38,638  
Craig F. Taylor, Reg. No. 40,199  
Lew Schwartz, Reg. No. 22,067

Address all future communications to:

Glenn M. Seager  
NAWROCKI, ROONEY & SIVERTSON, P.A.  
Suite 401, Broadway Place East  
3433 Broadway Street N.E.  
Minneapolis, MN 55413  
Tel: (612) 331-1464

**X. Abandonment of Prior Application**

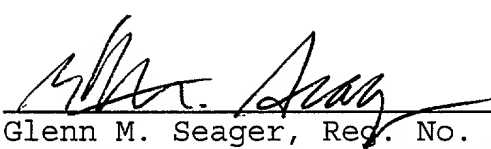
Please abandon the prior application at a time while the prior application is pending and when this application is granted a filing date so as to make this application copending with said prior application. At the same time, please add the words "now

abandoned" to the amendment to the specification set forth in VIII  
above.

**XI. Assignment**

The prior application is assigned to SciMed Life Systems, Inc.  
as recorded in the Patent and Trademark Office on Reel 8049,  
Frame 0608.

Date

August 11, 1997 

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